

✓ APPROVED

**ANDOVER CONSERVATION COMMISSION MEETING MINUTES
MAY 21, 2019**

Town of Andover
36 Bartlet Street
3rd Floor Conference Room
7:49PM

Conservation Members in Attendance:

Chairman Donald Cooper, Vice Chairman Kevin Porter, Commissioner Tom Brady, Commissioner Ellen Townson, Commissioner Jon Honea and Commissioner Alix Driscoll. Staff members present were Robert Douglas, Conservation Director and Ben Meade Conservation Agent.

SCHEDULED ITEMS:

0 Bypass Road

Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by **Columbia Gas** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed gas service connection at **0 Bypass Road**.

Mr. Douglas presented this to the Commission. Both 0 Bypass Road and 10 Appletree Lane were opened simultaneously. The projects consist of direct service lines with the work taking place in existing lawn area or roadway. The Open Trench method will be used and there will be now work during rainy conditions.

Chairman Cooper asked for a Motion. Commissioner Townson made a Motion to approve both projects; it was seconded by Commissioner Honea and unanimously approved.

10 Appletree Lane

Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by **Columbia Gas** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover

Wetlands Protection By-law, Article XIV, for proposed gas service connection at **10 Appletree Lane**.

(See 0 Bypass Road)

121 Jenkins Road

Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by **Laura Rubin** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed construction of a replacement deck and screen room with stairs at **121 Jenkins Road**.

Mr. Meade presented this to the Commission. The filing is under both the WPA and By-Law to construct a larger deck to include a screened in room and stairs connecting to the lawn below. The area for the proposed work is currently maintained lawn and crushed stone patio. The distance as measured by Staff from the project to the resource area is 55 feet, not 41 as shown on the plan provided, so the project meets the 50 foot no-build setback. The access for the work will be over the existing driveway. Staff will ask the Applicant to provide a corrected plan showing the distance to be 55 feet.

Chairman Cooper asked for a Motion. Commissioner Honea made a Motion to approve the project; it was seconded by Commissioner Brady and unanimously approved.

268 River Road

Present in Interest: William Rourke

Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by **William Rourke** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed construction of an above ground pool with fencing and landscaping at **268 River Road**.

Mr. Meade presented the project to the Commission. The filing is under the WPA only for the construction of an above ground pool, concrete patio, landscaping and fence in the rear yard. The area for the proposed pool is currently maintained lawn. An updated plan has been received with more project details. The current proposal includes installation of a chain link fence to be placed around the pool area and very close to the edge of the existing lawn which is close to the wetland boundary. The Applicant is agreeable to meeting the 35 foot setback, but would like to be 20-24 feet from the wetland which would put the pool behind the house for privacy.

Mr. Rourke stated that by moving the fence further away from the wetland the lawn would be cut into sections and make is less useable.

Chairman Cooper would be agreeable to the fence being 20 feet from the wetland if the existing wetland line is marked with non-disturb markers. Commissioner Honea asked that the markers be placed at the edge of lawn to give a little buffer to the wetland.

Vice Chairman Porter asked for a more detailed plan showing the decking, patio, splash pads and plantings.

Commissioner Brady asked for a construction plan showing how equipment will be accessing the area and erosion controls on the plan.

Chairman Cooper asked for a Motion. Commissioner Driscoll made a Motion to continue to June 4, 2019 for a more detailed plan; it was seconded by Commissioner Townson and unanimously approved.

25 Lowell Street

Staff Recommendation: Approve

Public Meeting on a Request for Determination of Applicability filed by **Natalie Cohen** under the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, § 40 and/or the Andover Wetlands Protection By-law, Article XIV, for proposed removal of invasive species and overgrown underbrush and planting of a lawn at **250 Lowell Street**.

Mr. Meade presented this to the Commission. A portion of this property lies within the 200 foot Riverfront Resource Area of Hussey's Brook, which is perennial in this part of Town. The proposed project is to remove invasive species and brambles from the rear yard to expand the usable yard area. The areas proposed for vegetation removal are all upland areas, but are within the Riverfront Resource Area and wetland buffer. Staff observed the bittersweet and bramble domination of the area. Staff is not aware of any use of herbicide for this project. Staff met with the Applicant and there was no mention of herbicides, just that a landscaper would be hand removing the invasives. The proposed tree removal will need equipment, however the trees are outside the Commission's jurisdiction.

Chairman Cooper expressed his concern with the possible use of herbicides. Commissioner Townson would like the material disposed of properly off site.

Chairman Cooper asked for a Motion. Vice Chairman Porter made a Motion to approve as discussed; it was seconded by Commissioner Townson and unanimously approved.

ACTION ITEMS:

350 Lowell Street

Present in Interest: Paul Finger

Request for a 5 year Extension to the Order of Conditions and an Amendment to the Order of Conditions.

Paul Finger informed the Commission that all new projects under the Master Order of Conditions must meet current stormwater standards. He also stated there have been no major changes to the stormwater regulations.

Vice Chairman Porter made a Motion to approve the Extension and Amendment; it was seconded by Commissioner Townson and unanimously approved.

120 Salem Street

Request for an Insignificant Change.

Applicant's project for an inground pool was approved on May 7, 2019, however there was no fence included in the project application. A fence must be installed to comply with the Town's Building Code. The proposed fence will meet the required setback.

Commissioner Townson made a Motion to find the change insignificant to the WPA; it was seconded by Commissioner Driscoll and unanimously approved.

CONSENT AGENDA:

Minutes

Approval of Minutes from May 7, 2019.

14 Lovejoy Road

Request for a Satisfactory Completion of Work Certificate.

55 Prospect Road

Request for a Satisfactory Completion of Work Certificate.

468 Lowell Street

Request for a Satisfactory Completion of Work Certificate.

Tabled to June 18, 2019.

120 Salem Street

Request for a Satisfactory Completion of Work Certificate.

23 Sunset Rock Road

Request for a Certificate of Compliance.

55 Gray Road

Request for a Satisfactory Completion of Work Certificate.

River Street/Woburn Street

Request for a Certificate of Compliance.

Commissioner Townson made a Motion to Approve the Consent Agenda; it was seconded by Vice Chairman Porter and unanimously approved.

DISCUSSION ITEMS/ LATE ITEMS:

Eagle Scout Project

Approval of Kyle Greenwood's Eagle Scout Project at AVIS Lupine Reservation.

Tabled to June 4, 2019.

Overseer Nominations

Approval of Matthew MacKenzie, Melissa Thatcher and Daniell Trull as Overseers and Reappointments of Andrew Rouse, Robert Rauseo and Burt Bachellor as Overseers

Vice Chairman Porter made a Motion to Approve; it was seconded by Commissioner Townson and unanimously approved.

Setting Goals and Objectives for the Next Fiscal Year

Vice Chairman Porter stated that the Commission should begin thinking about projects, goals and ideas for the Town Meeting Warrant. He believes the most important task is to advocate for a Land Manager position. We have a large volunteer base, however it is difficult to manage our lands, apply for grants, direct the overseers, etc. This would fall under a Land Manager position. He would also like to include initiating and running programs as part of this position.

Chairman Cooper added that Bob DeCelle has been doing this job on a volunteer basis for the past 12 years it is time to formalize this position.

Bob Decelle stated that the more infrastructure we create, the more maintenance is required for upkeep. Currently there is more maintenance happening than building.

Chairman Cooper would like to amend the Town Meeting Warrant which listed the properties eligible for purchase by the Commission. This list should be updated with properties that have been sold and add others we would like to purchase.

Commissioner Townson would like to consider an update to the Town By-Law of items that need to be updated, not the entire By-Law.

Chairman Cooper would like to consider the forming of an Open Space Task Force which would advise what lands would be good acquisitions for the Commission.

Vice Chairman Porter would like to explore funding and grants for projects on Conservation lands.

Commissioner Townson believes the Commission should prioritize CIP requests and goals by making recommendations to the Town Manager.

Bob DeCelle suggested funding for special projects such as: Dale Street Bridge; Ballardvale Flats dock; Haggetts Pond Rail Trail; Shawsheen Pines launch; and Merrimack River access. Commissioner Brady would like to advocate for a better understanding of the Riverfront Protection Act within the community.

Chairman Cooper continued the discussion to the June 4, 2019 Meeting for follow-up discussion.

The meeting was adjourned at 9:15 pm by Motion of Commissioner Townson; seconded by Commissioner Brady and unanimously approved.

The next meeting is scheduled for June 4, 2019 at 7:45pm.

Respectfully Submitted,

**Lynn Viselli,
Recording Secretary**